

h

| | | | |
|-------------------------------|------------------------|---------------------|--|
| Notice of Allowability | Application No. | Applicant(s) | |
| | 09/864,778 | HATANO ET AL. | |
| | Examiner | Art Unit | |
| | Ling-Siu Choi | 1713 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to the Amendment.
2. ☐ The allowed claim(s) is/are 6-25.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

1. This Office Action is in response to the Amendment filed June 28, 2004. Claims 1-5 were canceled and claims 6-25 have been added. Claims 6-25 are now pending.

Examiner's Amendment

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CAR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

3. The application has been amended as follows:

Claim 6, line 18, change "a calcium-containing compound." to --(C) a calcium-containing compound. --;

Claim 25, lines 18-19, change "a calcium-containing compound; and a silica. " to --(C) a calcium-containing compound; and (D) a silica.--.

Allowable Subject Matter

4. Claims 6-25 are allowed.

5. The following is an examiner's statement of reasons for allowance:

The present claims are allowable over the closest references: Matsumoto et al. (US 5,226,987).

The present invention relates to a rubber composition for adhering to steel cords, comprising

| | |
|---------------|--|
| rubber | natural rubber and /or diene synthetic rubber |
| component (A) | a mixture of a nickel compound and a molybdenum compound or a compound containing nickel and moybdenum |
| component (B) | hexamethylenetetramine or melamine derivative and |
| | at least one resin [phenol resins, resorcin, resorcin derivatives, and cresol resins] |
| component (C) | calcium-containing compound |

(summary of claim 6)

Matsumoto et al. disclose a rubber composition for a steel cord reinforced belt, comprising (A) rubber (natural rubber and isoprene rubber), (B) reinforcing agents - resorcin or a resorcin derivative, carbon black, and silica, and (C) methylene donor - hexamethylene tetramine or a melamine deivative (abstract; claim 1). Matsumoto et al. further disclose that "rubber reinforcing layer may be incorporated, in addition to the above-mentioned components, with any known vulcanizing agent, vulcanizing accelerator, accelerator activator...." (col. 4, lines 1-5). However, Matsumoto et al. do not teach or fairly suggest a rubber composition comprising (A) a mixture of nickel compound and molybdenum compound or a compound containing both

Art Unit: 1713

nickel and molybdenum metals as an accelerator and (B) a calcium-containing compound.

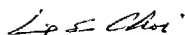
In light of the above discussion, it is evident as to why the present claims are patentable over the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ling-Siu Choi whose telephone number is 571-272-1098.

If attempt to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wu, can be reach on 571-272-1114.



Ling -Siu Choi

July 21, 2004